

DANIEL G. BOGDEN
United States Attorney
CRISTINA D. SILVA
ANDREW W. DUNCAN
Assistant United States Attorneys
333 Las Vegas Blvd. South, Suite 5000
Las Vegas, Nevada 89101
PHONE: (702) 388-6336
FAX: (702) 388-6418

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

-oOo-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THOMAS McNAMARA,

Defendant.

2:13-cr-00250-JAD-VCF

STIPULATION TO CONTINUE
RESPONSE TO DEFENDANT'S
MOTION IN LIMINE (Doc. #126)

ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between DANIEL G. BOGDEN, United States Attorney, and Cristina D. Silva, Assistant United States Attorney, counsel for the United States of America, and counsel for defendant THOMAS McNAMARA, Terrance Jackson, Esq., that the Government's response to defendant's Motion in Limine (Doc. # 126), in the above-captioned matter, which is currently set for March 20, 2015, be continued until April 2, 2015.

This Stipulation is entered into for the following reasons:

1. Defendant Steve Carr filed a similar motion on March 16, 2015. *See* Doc. #139. The current due date for the Government's response to Carr's motion is April 2, 2015. *Id.* Given the similarities of the motion, for purposes of judicial efficiency, the Government contacted defendant McNamara's attorney, Terry Jackson, Esq., and requested that the Government be able to respond to both motions together.

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 **-oOo-**

4 UNITED STATES OF AMERICA,

2:13-cr-00250-JAD-VCF

5 Plaintiff,

ORDER

6 vs.

7 THOMAS McNAMARA,

Defendant.

8 **FINDINGS OF FACT**

9
10 Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court
11 hereby finds that:

12 1. Defendant Steve Carr filed a similar motion on March 16, 2015. *See* Doc. #139. The
13 current due date for the Government's response to Carr's motion is April 2, 2015. *Id.* Given the
14 similarities of the motion, for purposes of judicial efficiency, the Government contacted defendant
15 McNamara's attorney, Terry Jackson, Esq., and requested that the Government be able to respond to
16 both motions together.

17 2. The parties have discussed the continuance and agree to stipulate to an extension of
18 the response deadline to April 2, 2015.

19 3. The defendant is not incarcerated, but does not object to the continuance.

20 4. Additionally, denial of this request for continuance could result in a miscarriage of
21 justice.

22 5. The additional time requested herein is not sought for purposes of delay, but to allow
23 for adequate and efficient response time to the accompanying supplemental filing (Doc. #53).

24 6. This is the first request for a continuance of deadline for the Government to respond

1 to the Motion in Limine.

2 **CONCLUSIONS OF LAW**

3 Based on the fact that the parties have agreed to the continuance; based on the fact that the
4 defendant does not object to the continuance; and based on the fact that denial of this request for
5 continuance could result in a miscarriage of justice, the Court hereby concludes that:

6 The ends of justice are served by granting said continuance, since the failure to grant said
7 continuance would be likely to result in a miscarriage of justice and would deny adequate response
8 to the pending motion to dismiss, taking into account the exercise of due diligence.

9 **ORDER**

10 IT IS THEREFORE ORDERED that the deadline for the Government to respond to
11 defendant's Motion in Limine (Doc. #126) is hereby reset to March 19, 2015.

12 Dated: April 7, 2015.

13 
UNITED STATES DISTRICT JUDGE

14 *nunc pro tunc to 3/19/15*
15
16
17
18
19
20
21
22
23
24